



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

JUL 21 2016

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article number 7014 1200 0000 6124 7106

Mr. Edwin Bowman, Administrative Contact
Montgomery County Rural Water District #13
321 East Main
PO Box 10
Sedan, KS 67361

RE: Notice of Violation
Montgomery County Rural Water District #13
PWS ID No. - KS2012524

Dear Mr. Bowman:

LETTER OF WARNING

The Safe Drinking Water Act (SDWA) protects public drinking water supplies throughout the nation. Under the SDWA, the Environmental Protection Agency sets standards for drinking water quality and, with its state partners, implements various technical and financial programs to assist Public Water Systems in complying with the SDWA and providing safe drinking water.

The SDWA's Stage 2 Disinfectants and Disinfection Byproducts Rule (40 C.F.R. Part 141, Subpart L) establishes a Maximum Contaminant Level (MCL) for Total Trihalomethanes (TTHM) of 80 ug/L and an MCL for Haloacetic Acids (HAA5) of 60 ug/L. The MCLs for both of these disinfection byproducts are based on a Locational Running Annual Average calculated from data collected over the past four quarters of monitoring. Because the Kansas Department of Health and Environment has not yet obtained primacy to enforce the Stage 2 DBPR, the EPA is responsible for enforcing compliance with the Rule.

The EPA's records indicate that your PWS exceeded the MCLs for one or both of these contaminants. Therefore, your PWS is in violation of the Stage 2 DBPR.

Further, our records indicate that your PWS has, in at least one quarter, triggered the requirement to conduct a DBP Operational Evaluation. In addition to establishing MCLs, the Stage 2 DBP Rule also establishes Operational Evaluation Levels for TTHMs and HAA5. These DBP OELs are defined in 40 C.F.R. § 141.626 and are calculated as the sum of the previous two quarters' DBP results, plus twice the current quarter's DBP result, divided by 4. When a System's DBP OEL exceeds its respective MCL, the System is required per 40 C.F.R. § 141.626(b)(1) to conduct an operational evaluation and submit a written report to the State or EPA. The content of the evaluation report is described in 40 C.F.R. § 141.626(b)(2). The purpose of the OEL report is to help PWSs identify the causes of potential MCL exceedances so that they may be timely addressed.

The EPA advises that you take timely and appropriate actions to address these violations and return to compliance by completing the evaluation and report required under 40 C.F.R. § 141.626, and by eliminating future MCL exceedances. The enclosed document provides step-by-step instructions for completing the evaluation. Additional guidance for completing the OEL report can be found at EPA's website at:

<http://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P1002YDW.txt>

Please complete the evaluation and submit your report to the person identified below within 90 days of receipt of this letter.

The EPA will review your OEL report, including any plans outlined in the report that you may have implemented to address the current MCL violations, to determine whether any additional actions may be necessary to address the violations and to protect public health.

Please note that failure to submit the OEL report and to address any MCL violations may result in a formal enforcement action by EPA pursuant to Section 1414 of the Safe Drinking Water Act.

Please submit your evaluation report to:

Mr. Scott Marquess
US Environmental Protection Agency Region 7
WWPD/WENF
11201 Renner Boulevard
Lenexa, KS 66219
marquess.scott@epa.gov

If you have any questions, please call Scott Marquess at 913-551-7131.

Sincerely,



Karen A. Flournoy
Director

Water, Wetlands, and Pesticides Division

Enclosure

cc: Cathy Tucker-Vogel, Section Chief
Public Water Supply Section, KDHE
Vivian Massey-Shaw, Operator